

105TH CONGRESS  
1ST SESSION

# S. 1247

To amend title 38, United States Code, to limit the amount of recoupment from veterans' disability compensation that is required in the case of veterans who have received special separation benefits from the Department of Defense.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 1997

Mr. JEFFORDS (for himself, Mr. CONRAD, Ms. COLLINS, Mr. MURKOWSKI, Mr. REID, and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to limit the amount of recoupment from veterans' disability compensation that is required in the case of veterans who have received special separation benefits from the Department of Defense.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Special Separation  
5       Benefits Improvement Act”.

1 **SEC. 2. LIMITATION ON INCENTIVE RECOUPMENT FROM**  
 2 **VETERANS COMPENSATION BENEFITS.**

3 (a) IN GENERAL.—(1) Chapter 53 of title 38, United  
 4 States Code, is amended by inserting after section 5304  
 5 the following new section:

6 **“§ 5304A. Recoupment of special separation benefits**  
 7 **from compensation: limitation**

8 “In the case of a veteran with a service-connected dis-  
 9 ability who is entitled to compensation and who is paid  
 10 special separation benefits under section 1174a of title 10,  
 11 the amount of compensation otherwise payable to that vet-  
 12 eran that is deducted pursuant to section 1174a(g) of title  
 13 10 by reason of the payment to that veteran of such bene-  
 14 fits may not exceed 75 percent of the total amount of the  
 15 benefits paid to the veteran.”.

16 (2) The table of sections at the beginning of such  
 17 chapter is amended by adding at the end the following  
 18 new item:

“5304A. Recoupment of special separation benefits from compensation: limita-  
 tion.”.

19 (b) EFFECTIVE DATE.—Section 5304A of title 38,  
 20 United States Code, as added by subsection (a), shall  
 21 apply with respect to payment of compensation by the Sec-  
 22 retary of Veterans Affairs for months beginning after De-  
 23 cember 5, 1991.

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